

U.S. Department of Justice

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Western District of New York*

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PRESS RELEASE

June 9, 2004

RE: UNITED STATES v. BENJAMIN NICOLETTI and ADAM THOMAS

United States Attorney Michael A. Battle announced that late yesterday afternoon, June 8, 2004, BENJAMIN "SONNY" NICOLETTI, 65 of 783 U-pper Mountain Road, Lewiston, and ADAM THOMAS, 34, of 6192 Crimson Drive, Niagara Falls, Ontario, entered "guilty" pleas before Chief District Judge Richard J. Arcara to an information charging both defendants with using extortionate means to collect an extension of credit, in violation of Section 894 of Title 18 of the United States Code. Both face a sentence of up to twenty (20) years when they are sentenced by Judge Arcara on September 22 (NICOLETTI) and September 23, 2004 (THOMAS).

In addition, NICOLETTI entered a "guilty" plea to one count of an indictment that charged him with witness tampering, in violation of Section 1512(b) of Title 18 of the United States Code, and faces an additional ten (10) year term of imprisonment when he is sentenced on September 22, 2004.

Assistant United States Attorney Anthony M. Bruce, who handled the case, stated that in pleading guilty to the extortion charge, NICOLETTI and THOMAS admitted that they had been the Western New York representatives of a bookmaking operation located in the Dominican Republic and that, in this role in 1998 they had repeatedly threatened one Raymond Bojanowski in an effort to collect about \$15,000 Bojanowski owed the Dominican Republic based bookmaking operation.

Mr. Bruce also stated that in pleading guilty to the witness tampering charge, NICOLETTI admitted that he had orchestrated phone calls to at least one employee of the Waterworks Bar in Niagara Falls in an effort to have that employee and other employees tell United States Probation Officers that one Christian Ciccarelli, whom the officers had under supervision, was not in the Waterworks when a fight broke out among patrons, which would have been a violation of one of Ciccarelli's release conditions.

The pleas were the result of an investigation on the part of the New York State Police Special Investigation Unit under the command of Major Thomas M. Fresenius and the Federal Bureau of Investigation under the direction of Special Agent in Charge Peter J. Ahearn.

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